

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

FERNANDO NAVARRO HERNANDEZ,

Petitioner,

v.

WILLIAM GITTERE, *et al.*,

Respondents.

Case No. 3:09-cv-00545-LRH-CSD

ORDER GRANTING
MOTION FOR EXTENSION OF TIME
(ECF NO. 320)

In this capital habeas corpus action, the Court has ordered the parties to file supplemental briefing—an amended answer by Respondents, followed by an amended reply by Petitioner Fernando Navarro Hernandez, followed by a response to the amended reply by Respondents—in the wake of the Supreme Court’s decision in *Shinn v. Ramirez*, 142 S. Ct. 1718 (2022). See Order entered June 28, 2022 (ECF No. 307). Respondents filed their amended answer on March 17, 2023 (ECF No. 317). Then, after a 45-day initial period (ECF Nos. 94, 307) and a 91-day extension of time (ECF No. 319), Hernandez, who is represented by appointed counsel, was due to file his amended reply by July 31, 2023.

On July 31, 2023, Hernandez filed a motion for extension of time (ECF No. 320), requesting a 14-day extension of time, to August 14, 2023, for his amended reply. Hernandez’s counsel states that this extension of time is necessary because of her obligations in other cases. Hernandez’s counsel states that Respondents do not oppose the motion for extension of time.

The Court finds that Hernandez’s motion for extension of time is made in good faith and not solely for the purpose of delay, and that there is good cause to extend this

1 deadline. In the interests of allowing Hernandez sufficient time for this filing, but avoiding
2 any further motion to extend this deadline, the Court will extend the time for Hernandez
3 to file his amended reply by 45 days, to September 14, 2023. *This, however, will be the*
4 *last extension of this deadline.*

5 **IT IS THEREFORE ORDERED** that Petitioner's Motion for Extension of Time (ECF
6 No. 320) is **GRANTED**. Petitioner will have until and including **September 14, 2023**, to
7 file his amended reply.

8 **IT IS FURTHER ORDERED** that, in all other respects, the schedule for further
9 proceedings set forth in the order entered February 20, 2015 (ECF No. 94) will remain in
10 effect.

11 DATED this 8th day of August, 2023.

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14 LARRY R. HICKS
15 UNITED STATES DISTRICT JUDGE
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